

Serial No. 07/741,570

Claim 5, line 3, please insert --or-- before 'benzyl';

Line 3, please delete "or N, N-dimethylcarboxamide group".

Please cancel claim 39 without prejudice or disclaimer.

Please add the following claims to the application:

³⁰
D 40. A method according to claim ³⁰26 wherein the condition which ^{id}may be ameliorated by antagonism of 5HT₃ receptors is dyspepsia.

³¹
CE 41. A method according to claim ³⁰40 wherein the compound of formula (I) is 2,3,4,5-tetrahydro-5-methyl-2-[(5-methyl-1H-imidazol-4-yl)methyl]1H-pyrido[4,3-b]indol-1-one or a physiologically acceptable salt or solvate thereof.

³²
E 42. A method according to claim ³⁰40 wherein the compound of formula (I) is 2,3,4,5-tetrahydro-5-methyl-2-[(5-methyl-1H-imidazol-4-yl)methyl]1H-pyrido[4,3-b]indol-1-one hydrochloride.--

REMARKS

Applicants have amended the claims in order to more particularly define the invention, and in consideration of the comments contained in the outstanding Official Action.

In this regard, the Official Action sets forth a requirement for restriction between three groups of invention. Applicants elect, without traverse, to prosecute in the present application the Group I invention. Applicants retain the right to file one or more divisional applications directed to the non-elected invention.

Applicants note with appreciation the indication in the Official Action that the Group I invention has been examined and found to be allowable except as to form. Applicants have amended the claims in order to delete the non-elected subject matter subject to inclusion in a divisional application. The claims as amended are believed to be drawn to a proper Markush group. Accordingly, it is respectfully requested that the rejection of claims 1-12, 22, 23, 26, 27, 32, 36 and 37 be withdrawn.